

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUTHIE STEVENSON, MARIE
ROZGOWSKI, ED HOSKINS, ANTHONY
SARGENTE, DIANNE KOTHE, and
PEARLIE PERRIN,

Case No. 07-15017

Honorable John Corbett O'Meara

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

ORDER OF PARTIAL DISMISSAL

Plaintiffs filed a two-count complaint in this court November 26, 2007, alleging a violation of the Employee Retirement Income Security Act ("ERISA") in Count I and "Violation of Michigan Public Policy Workers' Compensation Retaliation" in Count II.

While the claim alleging violations of federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present a claim based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claim. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Count I is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Dated: December 11, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 12, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager